



STATE OF MARYLAND

DHMH

Medical Care Policy Administration
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Maryland Department of Health and Mental Hygiene
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Parris N. Glendening, Governor - Georges C. Benjamin, M.D., Secretary

**MARYLAND MEDICAL ASSISTANCE PROGRAM
Personal Care Services Transmittal No. 38**

November 18, 1999

Personal Care Case Monitoring Agencies
Personal Care Provider Agencies

FROM: Joseph M. Millstone ^{JMM} Director
Medical Care Policy Administration

NOTE: Please ensure that appropriate staff members in your organization are informed of the contents of this transmittal.

Adoption of Amendments to Personal Care Services Regulations and Review of Existing Regulations.

ACTION:
Permanent Status

EFFECTIVE DATE:
September 6, 1999

PROGRAM CONTACT PERSON:
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Amendments to Regulations .01, .03, .05 and .07 under COMAR 10.09.20 - Personal Care Services have been adopted as proposed. The text of the proposed amendments was included with Personal Care Services Transmittal No. 37, dated June 30, 1999, and was published in the Maryland Register on June 18, 1999 (Vol. 26, Issue 13).

(Continued on reverse side)

These amendments add the definition of institution, make a technical correction to one definition, revise the number of active cases a personal care services provider may serve during 1 day, and clarify requirements for processing personal care service invoices.

Personal Care Case Monitoring Agencies and Personal Care Provider Agencies are reminded of the following:

The personal care provider must be someone other than a family member of the recipient. "Family member" means a spouse, child, parent, or sibling of the recipient, including the "in-law" status of these relationships.

The personal care case monitors shall review each personal care provider's invoices prior to submission to the Department to ensure that the amount requested matches the level of services and number of services preauthorized by the case monitoring agency.

The personal care provider shall submit completed invoices to the case monitor for review and approval before submission to the Department for payment. Only the case monitoring agency shall submit all billing for payment of Personal Care services, whether electronic or hard copy. Case monitors should reinforce this requirement with all personal care providers.

The personal care case monitors shall preauthorize levels of personal care services in accordance with the definitions of levels of personal care contained in the Personal Care Services regulations.

The Notice of Final Action, as published in the Maryland Register is attached.

JMM:mfd
Attachment

**Title 10
DEPARTMENT OF
HEALTH AND MENTAL HYGIENE**

Subtitle 07 HOSPITALS

10.07.11 Health Maintenance Organizations

Authority: Health-General Article, §19-701 et seq.; Insurance Article, §2-109(a), (c);
Annotated Code of Maryland

Notice of Final Action
[99-078-F]

On August 16, 1999, the Secretary of Health and Mental Hygiene repealed Regulation .11 and adopted new Regulation .11 under COMAR 10.07.11 Health Maintenance Organizations. This action, which was proposed for adoption in 26:7 Md. R. 555 (March 26, 1999), has been adopted as proposed.

Effective Date: September 6, 1999.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.20 Personal Care Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-106,
Annotated Code of Maryland

Notice of Final Action
[99-153-F]

On August 3, 1999, amendments to Regulations .01, .03, .05, and .07 under COMAR 10.09.20 Personal Care Services were adopted by the Secretary of Health and Mental Hygiene. This action, which was proposed for adoption in 26:13 Md. R. 1031 — 1032 (June 18, 1999), has been adopted as proposed.

Effective Date: September 6, 1999.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.16 Portable Drug Kits for Licensed Home Health Agencies and Hospices

Authority: Health Occupations Article, §12-205,
Annotated Code of Maryland

Notice of Final Action
[99-130-F]

On August 3, 1999, new Regulations .01 — .04 under a new chapter, COMAR 10.34.16 Portable Drug Kits for Licensed Home Health Agencies and Hospices were adopted by the Secretary of Health and Mental Hygiene. This action, which was proposed for adoption in 26:13 Md. R. 1034 — 1035 (June 18, 1999), has been adopted as proposed.

Effective Date: September 6, 1999.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 38 BOARD OF PHYSICAL THERAPY EXAMINERS

10.38.02 Code of Ethics

Authority: Health Occupations Article, §§1-212 and 73-206,
Annotated Code of Maryland

Notice of Final Action
[99-152-F]

On August 3, 1999, the amendment and recodification of Regulation .02 to Regulation .03 and new Regulation .02 under COMAR 10.38.02 Code of Ethics were adopted by the Secretary of Health and Mental Hygiene. This action, which was proposed for adoption in 26:13 Md. R. 1035 (June 18, 1999), has been adopted as proposed.

Effective Date: September 6, 1999.

GEORGES C. BENJAMIN, M.D.
Secretary of Health and Mental Hygiene

Title 14

INDEPENDENT AGENCIES

Subtitle 15 MARYLAND HIGHER EDUCATION INVESTMENT PROGRAM

14.15.01 Master Agreement for Contract Holders

Authority: Education Article, §18-1905,
Annotated Code of Maryland

Notice of Final Action
[99-133-F]

On July 22, 1999, the Maryland Higher Education Investment Board adopted new Regulations .01 — .03 under a new chapter, COMAR 14.15.01 Master Agreement for Contract Holders.

This action, which was proposed for adoption in 26:11 Md. R. 876 — 883 (May 21, 1999), has been adopted as proposed.

Effective Date: September 6, 1999.

JOAN MARSHALL
Executive Director
Maryland Higher Education Investment Board